



Substitute House Bill No. 6744

Public Act No. 05-173

***AN ACT CONCERNING RESTRICTIONS ON THE OPERATION OF
MINI-MOTORCYCLES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. (NEW) (*Effective October 1, 2005*) (a) For the purposes of this section, "mini-motorcycle" means a vehicle, as defined in section 14-1 of the general statutes, that (1) has not more than three wheels in contact with the ground, (2) is equipped with or is designed to have a seat on which the rider may sit, (3) is propelled by an engine having a piston displacement of 50 c.c. or less, (4) is capable of a speed in excess of twenty miles per hour, and (5) is not eligible to be registered as a motor vehicle under section 14-12 of the general statutes.

(b) No person shall operate a mini-motorcycle or ride as a passenger on a mini-motorcycle on any highway, public sidewalk or public property of this state. No owner of a mini-motorcycle shall permit a person to operate the owner's mini-motorcycle or to ride as a passenger on the owner's mini-motorcycle on any highway, public sidewalk or public property of this state.

(c) Except on private property owned by the operator of a mini-motorcycle, no person shall operate a mini-motorcycle or ride as a passenger on a mini-motorcycle on any private property in this state

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unless such operator has in the operator's possession written permission from the owner of the private property to operate such mini-motorcycle and, as the case may be, to carry a passenger on such property.

(d) Except on private property owned by the owner of the mini-motorcycle, no owner of a mini-motorcycle shall permit a person to operate the owner's mini-motorcycle or to ride as a passenger on the owner's mini-motorcycle on any private property in this state unless such operator has in the operator's possession written permission from the owner of the private property to operate such mini-motorcycle and, as the case may be, to carry a passenger on such property.

(e) Any police officer who issues a summons for the alleged violation of subsection (b), (c) or (d) of this section shall cause the mini-motorcycle that was being operated to be impounded for a period of forty-eight hours after the issuance of such summons. The owner of such mini-motorcycle may reclaim such mini-motorcycle after the expiration of such forty-eight hour period upon payment of all transportation and storage costs.

(f) No person may offer for sale, lease or rent a mini-motorcycle unless such mini-motorcycle has a warning label that gives warning information about the safe and legal use of a mini-motorcycle and about the limitations on use and the possible consequences of use in violation of such limitations, set forth in subsections (b) to (e), inclusive, of this section. Such person, on sale, lease or rent of a mini-motorcycle, shall give a written clear and conspicuous statement, separate from the warning label, to the purchaser, lessee or renter of such mini-motorcycle containing such warning information. Advertisements for mini-motorcycles and oral communications of a person offering for sale, lease or rent a mini-motorcycle shall not contain information inconsistent with any information required in this section. Until regulations required in subsection (g) of this section are

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adopted, persons offering for sale, lease or rent of a mini-motorcycle shall display such warning information, advertise and make oral communications in a manner consistent with the provisions of this section. The provisions of this subsection do not apply to any person selling fewer than five used mini-motorcycles in one calendar year, provided any person claiming inapplicability of the provisions of this subsection shall have the burden of proving such inapplicability.

(g) On or before January 1, 2006, the Department of Motor Vehicles shall adopt regulations, in accordance with the provisions of chapter 54 of the general statutes, that set forth the warning information required in this section and manner of display of such warning information, establish reasonable transportation and storage fees and otherwise implement the provisions of this section.

(h) Nothing in this section shall prohibit a municipality from adopting more restrictive limitations on the use and sale, lease or rent of mini-motorcycles.

(i) Violation of any provision of this section shall be an infraction.

Approved July 1, 2005